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Friends of Matt Doheny, Inc.

Jill Sugarman
Sr. Campaign Finance & Reviewing Analyst
Reports Analysis Division, Federal Election Commission

Re: RFAI dated October 8, 2014 re: July Quarterly Report (6/5/2014-6/30/2014); Identification Number: C00560797

Dear Ms. Sugarman,

The Friends of Matt Doheny Inc. campaign committee received the above referenced RFAI, which, according to the letter, was prompted by your preliminary review of the July 2014 Quarterly Report.

The letter is based on an incorrect factual assumption. The letter states, "Since the candidate will not participate in the general election, any contribution received for the general election must be returned to the donors or redesignated". This is incorrect; Mr. Doheny was a candidate in the general election.

As you may know, New York has "fusion voting," where a candidate may run as a candidate of several different parties in the same election cycle. Mr. Doheny was a candidate for the general election from at least February of 2014 when he received the nomination of the Independence Party for the 21st Congressional District. Mr. Doheny did not compete in a primary election for the Independence Party, and therefore, was a general election candidate. Mr. Doheny did run in a primary for the Republican Party nomination in this same election cycle, which primary election was held June 24, 2014. Unfortunately, Mr. Doheny lost that primary election. However, he was and continued to be the candidate of the Independence Party for the general election.

Accordingly, Mr. Doheny could lawfully accept contributions for the general election, and such funds were properly spent, and thus no money needs to be returned or otherwise redesignated in the manner suggested by your letter.

The campaign committee has continued to file all required reports with the Commission, including the most recent pre-election report.

The committee requests that the Commission please remove the RFAI from the public record as we believe that the RFAI was sent in error.

Please contact me if you have any questions or require any further information.

Best regards,
/s/ J Kirkby
Jeffrey Kirkby, Treasurer
